

1 Page 22, lines 26 and 27, strike "STATE OR ANY THREE OR FOUR YEAR
2 OLD" and substitute "STATE, OR A PERSON WHO IS AT LEAST THREE YEARS
3 OLD BUT LESS THAN SIX YEARS OLD AND".

4 Page 23, line 8, after "ANY" insert "EVIDENCE-BASED".

5 Page 23, line 19, after "ARTS," insert "SPORTS, PHYSICAL EDUCATION,".

6 Page 23, strike line 26 and substitute "NONPUBLIC HOME-BASED
7 EDUCATIONAL PROGRAM, AS DEFINED IN SECTION 22-33-104.5;".

8 Page 24, strike lines 23 through 27.

9 Page 25, strike lines 1 through 12 and substitute:

10 "(2) (a) THE AGENCY IS GOVERNED AND ADMINISTERED BY A
11 BOARD OF DIRECTORS THAT CONSISTS OF EIGHT MEMBERS APPOINTED BY
12 THE GOVERNOR. THE SPEAKER OR MINORITY LEADER OF THE HOUSE OF
13 REPRESENTATIVES, WHOMEVER IS NOT AFFILIATED WITH THE SAME
14 POLITICAL PARTY AS THE GOVERNOR, SHALL PRESENT THE GOVERNOR
15 WITH A LIST OF EIGHT CANDIDATES, WHICH INCLUDES AT LEAST TWO
16 CANDIDATES FROM THE WESTERN SLOPE AND TWO CANDIDATES FROM THE
17 EASTERN PLAINS. THE GOVERNOR SHALL SELECT FOUR MEMBERS FROM
18 THE LIST OF CANDIDATES. FOR THE BOARD AS A WHOLE, THE GOVERNOR
19 SHALL ENSURE THAT THE BOARD INCLUDES AT LEAST TWO MEMBERS FROM
20 THE WESTERN SLOPE AND TWO MEMBERS FROM THE EASTERN PLAINS.
21 INITIAL APPOINTMENTS MUST BE MADE BY FEBRUARY 1, 2020. MEMBERS
22 SERVE FOR TWO-YEAR TERMS; EXCEPT THE FOUR MEMBERS APPOINTED TO
23 THE FIRST BOARD WHO WERE NOT FROM THE LIST OF CANDIDATES SERVE
24 FOR THREE YEARS. MEMBERS SERVE AT THE PLEASURE OF THE GOVERNOR
25 AND MAY SERVE UP TO THREE CONSECUTIVE TERMS. IF THERE IS A
26 VACANCY OF A MEMBER WHO WAS SELECTED FROM THE LIST OF
27 CANDIDATES, THE SPEAKER OR MINORITY LEADER OF THE HOUSE OF
28 REPRESENTATIVES, WHOMEVER IS NOT AFFILIATED WITH THE SAME
29 POLITICAL PARTY AS THE GOVERNOR, SHALL PRESENT THE GOVERNOR
30 WITH TWO CANDIDATES FROM WHICH TO SELECT A REPLACEMENT."

31 Page 25, line 18, after "ORGANIZATIONS," insert "ENTITIES,".

32 Page 25, line 20, after the period add "NO PERSON WHO HAS AN

- 1 OWNERSHIP INTEREST OR OTHER FINANCIAL INTEREST IN A PROVIDER OF
2 AN OUT-OF-SCHOOL LEARNING EXPERIENCE IN THE PROGRAM MAY SERVE
3 ON THE BOARD."
- 4 Page 25, line 22, strike "SHALL:" and substitute "SHALL, BY RULE:".
- 5 Page 25, line 26, after "ORGANIZATION" insert "MUST".
- 6 Page 26, line 10, strike "EXPENSES;" and substitute "EXPENSES, WHICH
7 AMOUNT MAXIMIZES THE FUNDING AVAILABLE TO BE USED TO PAY FOR
8 OUT-OF-SCHOOL LEARNING EXPERIENCES;".
- 9 Page 26, line 12, after "PROVIDERS" insert "OR EMPLOYEES OF
10 PROVIDERS".
- 11 Page 26, line 13, strike "STUDENTS;" and substitute "ELIGIBLE STUDENTS,
12 WHICH STANDARDS ARE BASED ON THOSE SET FORTH IN SECTION
13 22-32-109.8;".
- 14 Page 26, line 18, strike "AND".
- 15 Page 26, line 22, strike "PROGRAM." and substitute "PROGRAM, AS
16 DEFINED IN SECTION 22-33-104.5;
- 17 (j) DEFINE THE TERM "EVIDENCE-BASED" FOR THE PURPOSE OF
18 MEETING THE DEFINITION OF "OUT-OF-SCHOOL LEARNING EXPERIENCE";
19 AND
- 20 (k) ESTABLISH GUIDELINES FOR THE AMOUNT THAT MAY BE
21 ALLOCATED TO TRANSPORTATION TO AN OUT-OF-SCHOOL LEARNING
22 EXPERIENCE."
- 23 Page 27, lines 11 and 12, strike "ARE INSUFFICIENT FUNDS" and substitute
24 "IS INSUFFICIENT MONEY".
- 25 Page 27, strike lines 22 and 23.
- 26 Renumber succeeding subsection accordingly.
- 27 Page 28, line 1, after "EXPERIENCES," insert "PARTICIPATION AND OTHER".
- 28 Page 28, strike line 14 and substitute "2020, AND THE ADMINISTERING
29 NONPROFIT ORGANIZATION SHALL IMPLEMENT THE PROGRAM SO THAT

- 1 ELIGIBLE STUDENTS ARE PARTICIPATING IN OUT-OF-SCHOOL LEARNING
2 EXPERIENCES BY JANUARY 1, 2021. THE DUTIES OF THE ORGANIZATION".
- 3 Page 28, line 19, strike "APPROVED" and substitute "CERTIFIED".
- 4 Page 28, line 25, after "COMPENSATING" insert "CERTIFIED".
- 5 Page 29, strike line 5 and substitute "ADMINISTRATION AND ANY BOOKS
6 AND RECORDS.".
- 7 Page 29, line 6, strike "WITH" and substitute "TO".
- 8 Page 29, lines 9 and 10, strike "THE ELIGIBLE STUDENT" and substitute
9 "ALL ELIGIBLE STUDENTS IN THE AREA".
- 10 Page 29, strike lines 21 through 23 and substitute "IF A PERSON NO
11 LONGER QUALIFIES AS AN ELIGIBLE STUDENT AND THERE WAS AN AMOUNT
12 REMAINING THAT WAS SET ASIDE FOR THAT PERSON, THE ORGANIZATION
13 MAY USE THAT AMOUNT FOR ANY PURPOSE OF THE PROGRAM.".
- 14 Page 29, lines 25 and 26, strike "BOARD BY RULE OR OTHERWISE." and
15 substitute "BOARD.".
- 16 Page 31, line 8, after "FAMILY" insert "PARTICIPATION AND OTHER".
- 17 Page 31, line 9, after "OUTCOMES," insert "INCLUDING EDUCATIONAL AND
18 SOCIAL-EMOTIONAL OUTCOMES,".
- 19 Page 31, after line 11 insert:
- 20 "(10) THE POWER AND DUTIES OF THE AGENCY, BOARD, AND
21 ADMINISTERING NONPROFIT ORGANIZATION ARE LIMITED TO THOSE
22 POWERS AND DUTIES SET FORTH IN THIS ARTICLE 86.5 FOR OUT-OF-SCHOOL
23 LEARNING EXPERIENCES THAT OCCUR OUTSIDE OF THE SCHOOL DAY AND
24 THAT ARE NOT PART OF THE NORMAL COURSE OF STUDY FOR STUDENTS IN
25 KINDERGARTEN THROUGH TWELFTH GRADE ENROLLED IN PUBLIC OR
26 PRIVATE SCHOOL OR A NONPUBLIC HOME-BASED EDUCATIONAL
27 PROGRAM.".
- 28 Page 31, line 24, strike "REPORT" and substitute "INDEPENDENT
29 EVALUATION".

- 1 Page 31, line 25, strike "22-86.5-106 (9)." and substitute "22-86.5-105
2 (9).".
- 3 Page 32, line 9, after "AN" insert "ANNUAL".
- 4 Page 32, line 15, strike "PRIVATE INFORMATION." and substitute
5 "PERSONAL INFORMATION, AS DEFINED IN SECTION 24-73-103 (1)(g).".
- 6 Page 36, line 20, strike "(2)(c)" and substitute "(3)(c)".
- 7 Page 38, lines 19 and 20, strike "AND THE DEPARTMENT OF HUMAN
8 SERVICES".
- 9 Page 39, line 18, strike "CARE" and substitute "EDUCATION".
- 10 Page 39, line 19, strike "AND EDUCATION".
- 11 Page 40, after line 18 insert:
12 **"SECTION 17.** In Colorado Revised Statutes, 39-26-623, **amend**
13 **as amended by House Bill 19-1240** (1)(a)(II)(A) as follows:
14 **39-22-623. Disposition of collections - definition.** (1) The
15 proceeds of all money collected under this article 22, less the reserve
16 retained for refunds, shall be credited as follows:
17 (a) (II) (A) Effective July 1, 1987, an amount equal to
18 twenty-seven percent of the gross state cigarette tax shall be apportioned
19 to incorporated cities and incorporated towns that levy taxes and adopt
20 formal budgets and to counties. For the purposes of this section, a city
21 and county is considered a city. The city or town share shall be
22 apportioned according to the percentage of state sales tax revenues
23 collected by the department of revenue in an incorporated city or town as
24 compared to the total state sales tax collections that may be allocated to
25 all political subdivisions in the state; the county share shall be the same
26 as that which the percentage of state sales tax revenues collected in the
27 unincorporated area of the county bears to total state sales tax revenues
28 that may be allocated to all political subdivisions in the state. The
29 department of revenue shall certify to the state treasurer, at least annually,
30 the percentage for allocation to each city, town, and county, and the
31 department shall apply the percentage for allocation certified shall be
32 applied by said department in all distributions to cities, towns, and
33 counties until changed by certification to the state treasurer. In order to
34 qualify for distributions of state income tax money, units of local

1 government are prohibited from imposing taxes on any person as a
2 condition for engaging in the business of selling cigarettes. For purposes
3 of this subsection (1)(a)(II), the "gross state cigarette tax" means the total
4 tax FROM TEN MILLS ON EACH CIGARETTE before the discount provided for
5 in section 39-28-104 (1), PLUS AN AMOUNT EQUAL TO THE AMOUNT
6 DEPOSITED IN THE GENERAL FUND FOR THE STATE FISCAL YEAR UNDER
7 SECTION 24-22-118 (3)(c)(II). For any city, town, or county that was
8 previously disqualified from the apportionment set forth in this subsection
9 (1)(a)(II)(A) by reason of imposing a fee or license related to the sale of
10 cigarettes, the city, town, or county is eligible for any allocation of money
11 that is based on an apportionment made on or after the effective date of
12 this subsection (1)(a)(II)(A), as amended, but not for an allocation of
13 money that is based on an apportionment made before the effective date
14 of this subsection (1)(a)(II)(A), as amended."

15 Renumber succeeding section accordingly.

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